

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**PAUL PIZZUTO**

**Plaintiff,**

**Civil Action No. 04-12492 GAO**

**vs.**

**CROSSKEN EXPRESS, INC., STEVEN  
CROSSKEN, JOSEPH HAMILTON,  
GREG SWEATT, AND ARTHUR  
LEVERIS,**

**Defendants.**

**JOINT MOTION TO EXTEND TIME FOR COMPLETION OF FACT DISCOVERY  
AND FOR CONTINUANCE OF STATUS CONFERENCE**

All of the parties to the above-captioned matter respectfully move the Court to extend the time for completion of fact discovery by three weeks, from June 29, 2007 to July 20, 2007, and to adjust the date of the Status Conference, currently scheduled for July 9, 2007, accordingly. In support of this motion, the parties state as follows:

1. Written discovery in this case is complete and a number of depositions have been taken.
2. Other depositions have been noticed and the parties have agreed to convene for such depositions.
3. The parties have had some difficulty with the scheduling of certain non-party depositions, including a witness whose sister is gravely ill. Certain other non-party deponents are practicing physicians, and the parties are striving to arrange for their depositions with the least amount of interruption to their medical practices.

4. Throughout this case, the parties have been cooperative with each other regarding the scheduling of discovery events in an effort to present and litigate the case on the merits without need for undue intervention by the Court.

5. The parties are mindful and respectful of the Court's desire to avoid unnecessary delay. In light of the above, however, the parties respectfully request this 3-week extension to allow them to complete fact discovery.

6. In further support of this motion, both parties desire this brief extension, and submit that neither side will be prejudiced as a result.

WHEREFORE, for the foregoing reasons, the parties respectfully request that the deadline for completion of fact discovery be extended until July 20, 2007, and that the date of the status conference, currently scheduled for July 9, 2007, be adjusted accordingly.

PAUL PIZZUTO,

AIRBORNE EXPRESS, INC.,  
STEVEN CROSSKEN, JOSEPH  
HAMILTON, GREG SWEATT,  
AND ARTHUR LEVERIS,

By his attorney,

By their attorneys,

/s/ Richard A. Mulhearn  
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Dated: June 26, 2007